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Resource Guide



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DHS

Americans with Disabilities Act

The Americans with Disabilities Act of 1990 makes it unlawful to discriminate against people with disabilities in employment, state and local government services, public accommodations, transportation and telecommunications. Below is a summary of the Act and a list of resources you can use if you feel you are being discriminated against on account of your disability.

Title I - Employment

Requirements: Employers with 15 or more employees may not discriminate against qualified individuals with disabilities. Employers must reasonably accommodate the disabilities of qualified applicants or employees, including modifying work stations and equipment, unless undue hardship would result.

Enforcement: Complaints may be filed with the Equal Employment Opportunity Commission. Private lawsuits may be filed after exhausting administrative remedies. Remedies are the same as under Title VII of the Civil Rights Act of 1964. Courts may order employers to hire or promote qualified individuals, reasonably accommodate their disabilities and pay back wages and attorney fees.

Title II - Public Services

Requirements: State and local governments may not discriminate against qualified individuals with disabilities. Newly-constructed state and local government buildings, including transit facilities, must be accessible. Alterations to existing state and local government buildings must be done in an accessible manner.

When alterations could affect accessibility to "primary function" areas of a transit facility, an accessible path of travel must be provided to the altered areas. The restrooms, drinking fountains and telephones serving the altered areas must also be accessible to the extent that the additional accessibility costs are not disproportionate to the overall alterations costs.

New buses and rail vehicles for fixed-route systems must be accessible. New vehicles for demand-responsive systems must be accessible unless the system provides people with disabilities services equivalent to those provided to the general public. Comparable para-transit must be provided to individuals who cannot use fixed-route bus services to the extent that an undue financial burden is not imposed.

One car per train must be accessible. Existing "key stations" in rapid rail, commuter rail and light rail systems must be accessible. All existing Amtrak stations must be accessible by July 26, 2010. Amtrak trains must have as many seating spaces for individuals who use wheelchairs as would be available if every car in the train were accessible to such individuals by July 26, 2000.

Enforcement: Complaints may be filed with the U.S. Department of Transportation concerning public transportation. Individuals may also file a private lawsuit. Remedies are the same as under Section 505 of the Rehabilitation Act of 1973. Courts may order entities to make facilities accessible, provide auxiliary aids or services, modify policies and pay attorney fees.

Title III - Public Accommodations

Requirements: Restaurants, hotels, theaters, shopping centers and malls, retail stores, museums, libraries, parks, private schools, day care centers and other similar places of public accommodation may not discriminate on the basis of disability.

Physical barriers in existing public accommodations must be removed if readily achievable. If not, alternative methods of providing services must be offered, if those methods are readily achievable. New construction in public accommodations and commercial facilities must be accessible.

Alterations to existing public accommodations and commercial facilities must be accessible. When alterations could affect accessibility to "primary function" areas of a facility, an accessible path of travel must be provided to the altered areas. The rest rooms, telephones and drinking fountains serving the altered areas must also be accessible, to the extent that the additional accessibility costs are not disproportionate to the overall alterations costs.

Elevators are not required in newly-constructed or altered buildings under three

stories or with less than 3,000 square feet per floor unless the building is a shopping center, mall or health provider's office.

New buses and other vehicles (except automobiles) operated by private entities must be accessible, or the entity must provide individuals with disabilities services equivalent to those provided to the general public. The requirements differ depending on whether the system is fixed-route or demand-responsive and on the vehicle seating capacity for entities not primarily engaged in the business of transporting people.

New over-the-road buses (buses with an elevated passenger deck located over a baggage compartment) must be accessible.

Enforcement: Complaints may be filed with the U.S. Department of Justice. Individuals may also file a private lawsuit. Remedies are the same as under Title II of the Civil Rights Act of 1964. Courts may order any entity to make facilities accessible, provide auxiliary aids or services, modify policies and pay attorney fees. Courts may award monetary damages and impose civil penalties in lawsuits filed by the Justice Department but not in private lawsuits by individuals.

Title IV - Telecommunications

Requirements: Telephone companies must provide telecommunications relay services 24 hours a day for individuals who are deaf, hard-of-hearing and speech-impaired.

Enforcement: Complaints may be filed with the Federal Communications Commission.

ADA Resources

Public accommodations and state and local government services:

Office on the Americans with Disabilities Act
Civil Rights Division
U.S. Department of Justice
PO Box 66118
Washington, DC 20035-6118
800/514-0301 (Voice)
800/514-0383 (TTY)

Employment:

Equal Employment Opportunity Commission
1801 L. Street NW
Washington, DC 20507
800-USA-EEOC (Voice)
800-800-3302 (TTY)

Transportation:

U.S. Department of Transportation
400 Seventh Street SW
Washington, D.C. 20590
202/366-9305 (Voice)
202/755-7687 (TTY)

Accessible design in new construction and alterations:

Architectural and Transportation Barriers
Compliance Board
1111 18th Street NW, Suite 501
Washington, DC 20036
800-USA-ABLE (Voice)
800-993-2822 (TTY)

Telecommunications:

Federal Communications Commission
1919 M. Street NW
Washington, DC 20554
202/418-0200 (Voice)
202/418-2555 (TTY)

Accessibility Standards:

Capital Development Board
100 W. Randolph, Suite 14-600
Chicago, IL 60601
312-814-6000 (Voice)
217-524-4449 (TTY)

Assistive Technology:

Illinois Assistive Technology Project
1 West Old State Capitol Plaza, Suite 100
Springfield, IL 62701
800-852-5110 (V/TTY)

Additional Resources:

Great Lakes Disability and Business Technical Assistance Center

1640 W. Roosevelt Road
Chicago, IL 60608
800-949-4232 (V/TTY)

Illinois Department of Human Services Bureau of Accessibility and Workplace Safety

401 South Clinton
Chicago, IL 60607
312-793-0035 (Voice)
312-793-2354 (TTY)

Illinois Department of Human Services Office of Rehabilitation Services Resource Center

623 E. Adams
Springfield, IL 62794-9429
800-ASK-DORS (Voice/TTY/Español)

Illinois Department of Human Rights

100 West Randolph, Suite 10-100
Chicago, IL 60601
312-814-6245 (Voice)
217-524-4449 (TTY)

Housing Access Under Fair Housing Act

Department of Housing and Urban
Development
Fair Housing Information Clearinghouse
800-343-3442 (Voice)
800-290-1617 (TTY)



**100 South Grand Avenue, East
Springfield, Illinois 62762**

**401 South Clinton Street
Chicago, Illinois 60607**

Programs, activities and employment opportunities in the Illinois Department of Human Services are open and accessible to any individual or group without regard to age, sex, race, sexual orientation, disability, ethnic origin or religion. The department is an equal opportunity employer and practices affirmative action and reasonable accommodation programs.

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